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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,030	01/08/2002	Michael Wayne Brown	AUS920010686US1	4218
35525	7590	01/11/2005	EXAMINER	
IBM CORP (YA) C/O YEE & ASSOCIATES PC P.O. BOX 802333 DALLAS, TX 75380			PHAM, HUNG Q	
			ART UNIT	PAPER NUMBER
			2162	

DATE MAILED: 01/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,030

Applicant(s)

BROWN ET AL.

Examiner

HUNG Q PHAM

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 11-17 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 11-17 and 22-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 08/26/2004 have been fully considered but they are not persuasive.

- As argued by applicant at page 6:

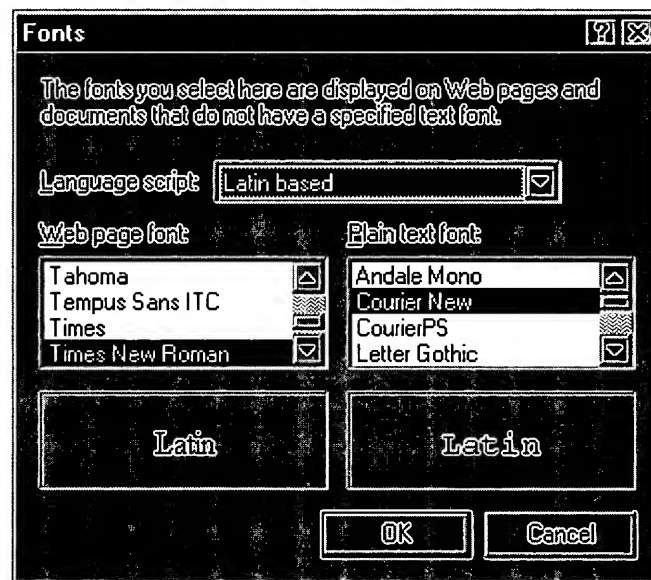
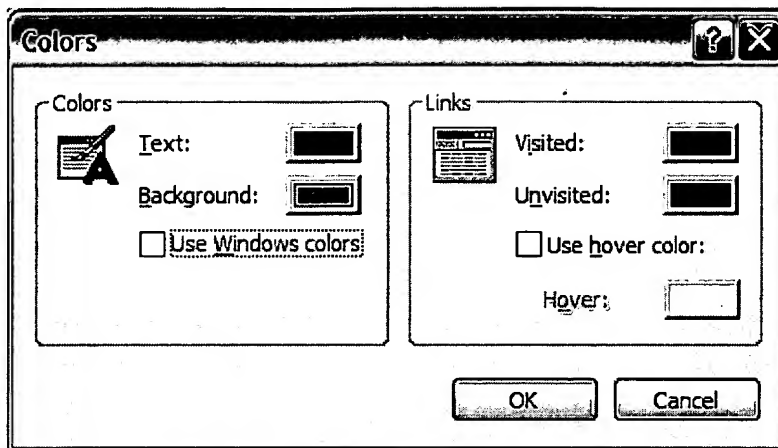
In contradistinction, the present invention provides a method, apparatus, and computer program product for clarifying a document in response to activation of a clarification control. A document is retrieved and presented and, in response to activation of a clarification control, the presently claimed invention modifies an attribute of a component of the Web page to clarify display of the document based on a set of user preferences.

...

Neither the allegedly admitted prior art nor IE 5.0 teaches or suggests modifying an attribute of a component of a document to clarify display of the document based on a set of user preferences to form a clarified document in response to activation of a clarification control, as recited in claim 1.

Examiner respectfully traverses because of the following reasons:

In order to customize a view of a document in the Internet, Internet Explorer 5 allows a user to define preferences for attributes of a document by selecting Tools → Internet Options, and select Colors or Fonts as indicated below.



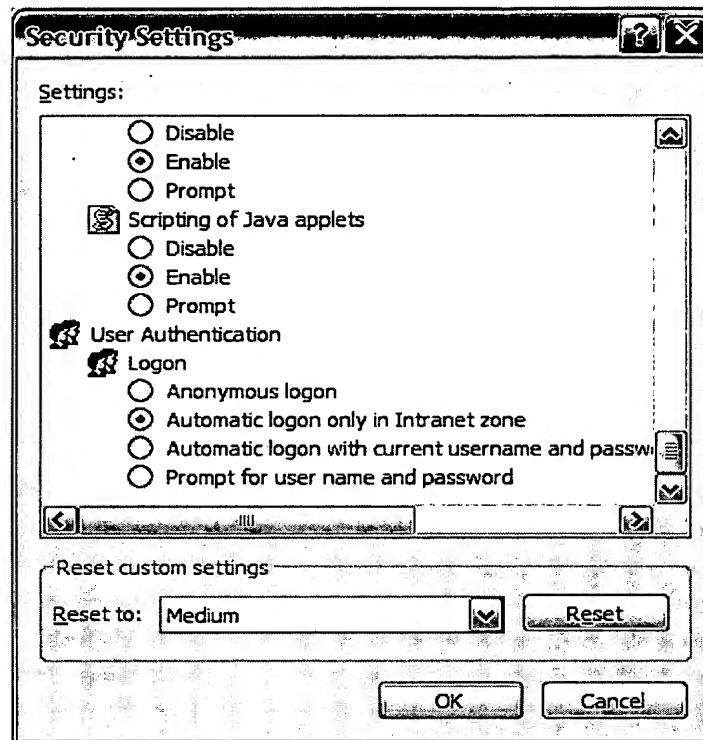
A set of user preferences is loaded by selecting a particular color for the text or background, or specifying a text font, and based on the set of user preferences to form a clarified document, the attribute of the displayed document such as color, or font will be modified to clarify display of the document in response to activation of OK box as a clarification control.

- As argued by applicant at page 6:

Therefore, a user may turn clarification on and off depending upon the document being presented. The user preferences are applied to the document in response to a user activating a clarification tool or control, rather than applying preferences for all documents.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., *a user may turn clarification on and off..., the user preferences are applied to the document in response to a user activating a clarification tool or control, rather than applying preferences for all documents*) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

- As argued by applicant with respect to claims 6, and 18 at page 6, examiner respectfully points out that claims 6 and 18 were canceled. Therefore, examiner respectfully declines to answer such arguments.
- As argued by applicant with respect to claims 11 and 22, IE 5.0 further discloses the step of *authenticating a user*:



and after the process of validating a user as *in response to the user being authenticated, the attribute is modified* by the authenticated user as discussed in claims 1 and 14.

- As argued by applicant with respect to claims 12 and 23, examiner respectfully traverses because the displayed document will be replaced by a modified document corresponding to the specified color or font as discussed in claims 1 and 14. In different words, this technique performs the step of *creating an intermediate modified document*.

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- As argued by applicant with respect to claim 13, examiner respectfully traverses because the displayed document will be replaced by a modified document, and displayed the modified document.

- As argued by applicant with respect to claim 24 at page 7:

Selection of the Tools -> Internet Options -> Accessibility activates a configuration dialog that allows a User to change preferences. However, the settings are always applied to documents at the time the documents are displayed. In other words, when a document is retrieved for display, the current settings, whatever they may be, are applied to the retrieved document. Application of preferences or settings is not selectable in IE 5.0. Therefore, Applicants' allegedly admitted prior art and IE 5.0, taken alone or in combination, fail to teach or suggest each and every limitation of claim 24. For the above reasons, the applied references do not render claim obvious.

Examiner respectfully traverses because of the following reasons:

As recited in claim 24, *the controller retrieves a document; wherein the clarification tool, when selected, causes the controller to modify attributes of the document to form a modified document.* Internet Explorer as *a controller retrieves a document* from the Internet. In order to customize a view of a document, Internet Explorer allows a user to define preferences for attributes of a document by selecting Tools → Internet Options, and select Colors or Fonts as discussed in claim 24. As seen, Tools of Internet Explorer as *a selectable clarification tool, wherein the clarification tool, when selected, causes the browser as the controller to modify attributes of the document to form a modified document.* Thus, the

preferences or setting is selectable in IE 5.0, and IE 5.0 in combination with a conventional computer teach each and every limitations of claim 24.

Drawings

The replacement drawings were received on 03/27/2002. These drawings are accepted by examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-5, 11-17, 22, 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Admission in view of Internet Explorer, version 5, released 1998.

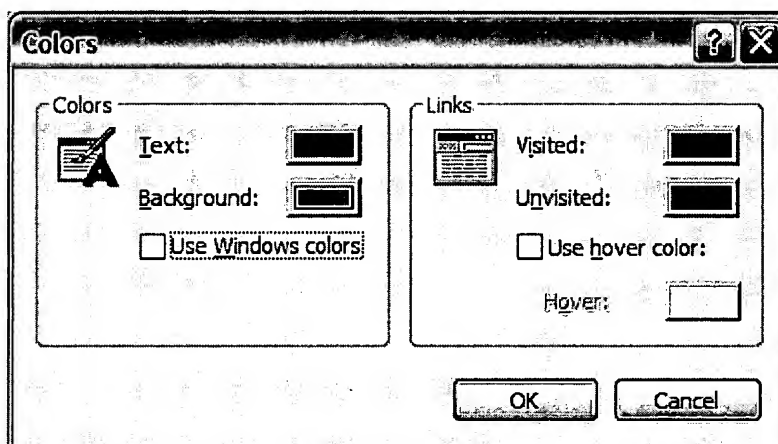
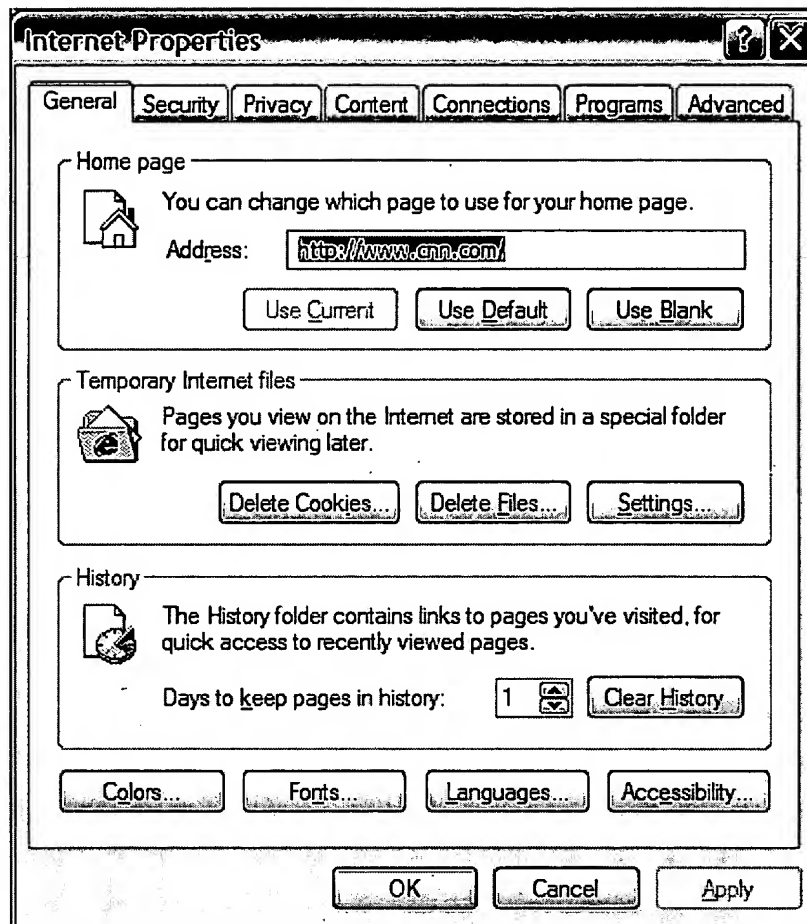
Regarding to claims 1, 14 and 25, as in the background, a conventional method, apparatus and computer program product for viewing a document in the Internet was admitted by using

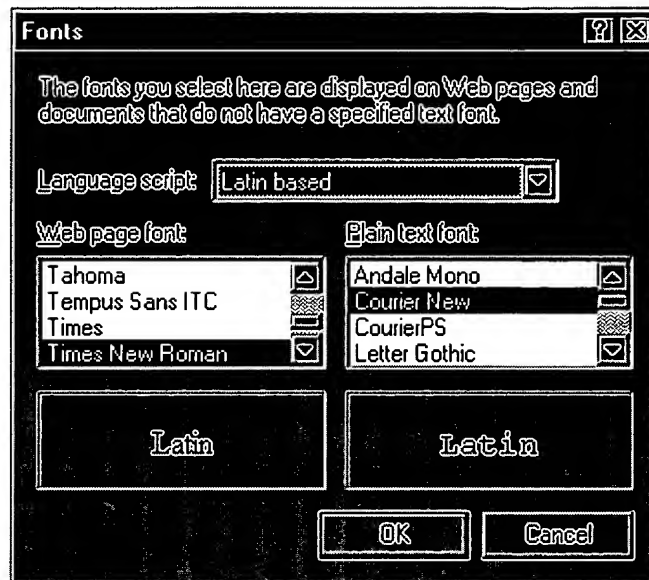
- a browser for *retrieving a document including* fonts of varying sizes and colors as *a document component having an attribute, wherein the attribute is explicitly specified in the document*, and *displaying the document* (Background, pages 1-2).

The admission does not have the step of *loading a set of user preferences*; and *in response to activation of a clarification control, modifying the attribute to clarify display of the document based on the set of user preferences to form a clarified document*.

However, in order to customize a view of a document in the Internet, Internet Explorer 5 allows a user to define preferences for attributes of a document by selecting Tools → Internet Options, and select Colors or Fonts as indicated below:

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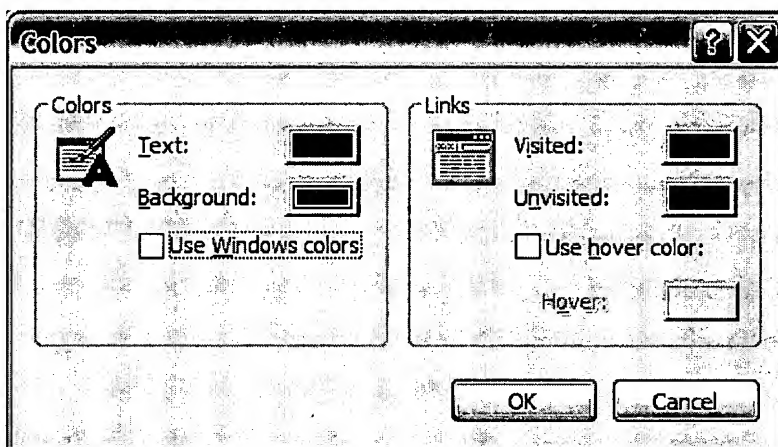


- A set of user preferences is loaded by selecting a particular color for the text or background, or specifying a text font,
- and based on the set of user preferences to form a clarified document, the attribute of the displayed document such as color, or font will be modified to clarify display of the document in response to activation of OK box as a clarification control.

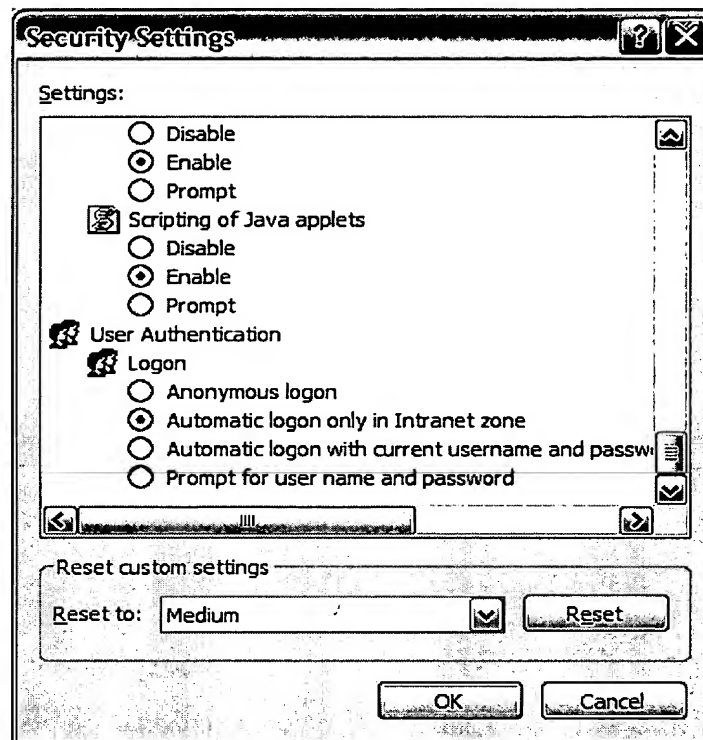
Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to use the properties of Internet Explorer to modify the color of text and background in order to improve the view of a document in the Internet.

Regarding to claim 2, the Admission and Internet Explorer, in combination, teach all of the claimed subject matter as discussed above with respect to claim 1, and by using Internet Explorer, *the clarified document is displayed* according to the specified attributes.

Regarding claim 3, 4, 5, 15, 16 and 17, the Admission and Internet Explorer, in combination, teach all of the claimed subject matter as discussed above with respect to claims 1 and 14, Internet Explorer further discloses *the document component comprises a background image and the step of modifying the attribute comprises removing the background image from the document, the document component comprises a background color and the step of modifying the attribute comprises changing the background color, the document component comprises text and the step of modifying the attribute comprises changing a color of the text in the document.*



Regarding to claims 11 and 22, the Admission and Internet Explorer further discloses the step of *authenticating a user*



and after the process of validating a user as *in response to the user being authenticated*, *the attribute is modified* by the authenticated user as discussed in claims 1 and 14.

Regarding claims 12 and 23, the Admission and Internet Explorer, in combination, teach all of the claimed subject matter as discussed above with respect to claims 1 and 14, the Internet Explorer will replace the displayed document by a modified document corresponding to the specified color or font as discussed in claims 1 and 14. In different words, this technique performs the step of *creating an intermediate modified document*.

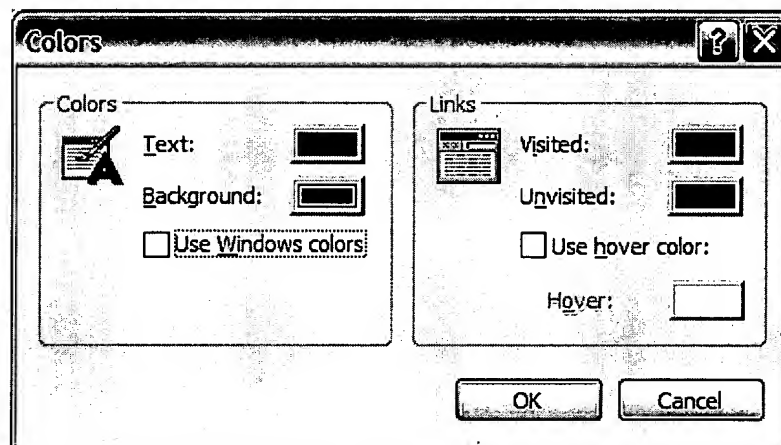
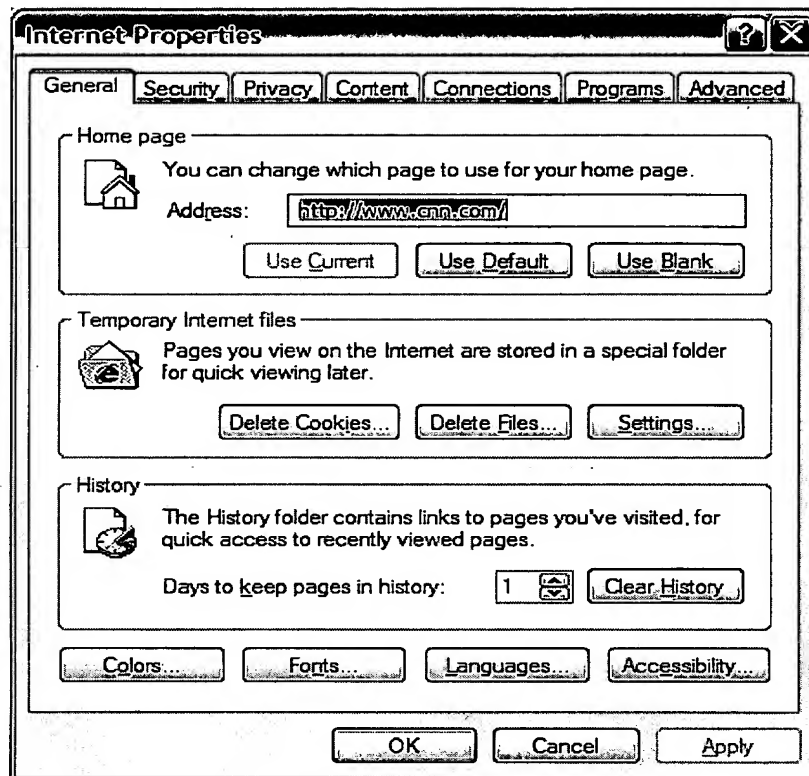
Regarding claim 13, the Admission and Internet Explorer, in combination, teach all of the claimed subject matter as discussed above with respect to claim 12, the

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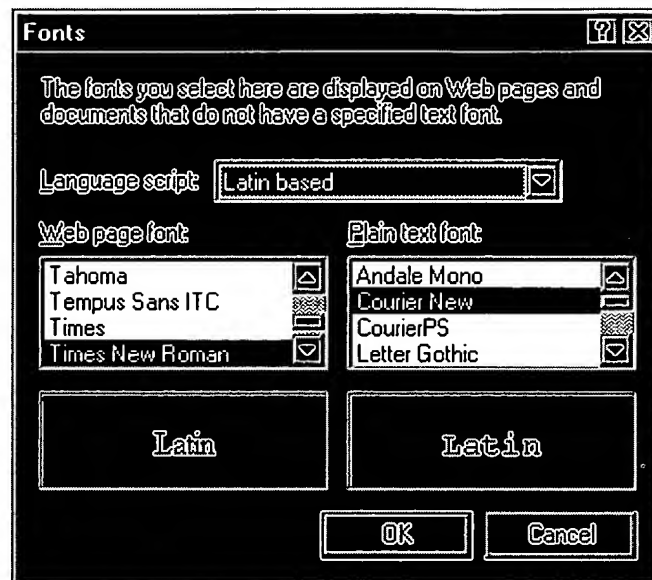
Internet Explorer will replace the displayed document by a modified document, and *display* the modified document as *the intermediate modified document*.

Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over a conventional computer system in view of Internet Explorer, version 5, released 1998.

Regarding to claim 24, a conventional computer system is a document viewing system with the monitor as *a document viewer*. The computer, obviously, when combined with Internet Explorer as *a controller, coupled to the document viewer, wherein the controller retrieves a document* from the Internet. In order to customize a view of a document, Internet Explorer allows a user to define preferences for attributes of a document by selecting Tools → Internet Options, and select Colors or Fonts as indicated below:



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As seen, Tools of Internet Explorer as *a selectable clarification tool*, wherein the *clarification tool*, when selected, causes the browser as *the controller* to modify attributes of the document to form a modified document, wherein display of text in the modified document is enhanced relative to the document; and wherein the monitor as *the document viewer* causes the browser as *the controller* to display the modified document. It would have been obvious for one of ordinary skill in the art at the time the invention was made to combine a conventional computer system with a browser such as IE 5.0 in order to retrieve a document from the Internet and enhance the view of the document corresponding to user preferences.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUNG Q PHAM whose telephone number is 571-272-4040. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner Hung Pham
January 5, 2005

Mohamed Ali
Primary Examiner
Av: 2167